UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/212,393	12/16/1998	MASARU KUMAZAWA	981488	8510

23850   7590   10/21/2002

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EXAMINER
GRANT II, JEROME

ART UNIT	PAPER NUMBER
2624	

DATE MAILED: 10/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No	**Applicant(s)**
Office Action Summary	09/212,393	KUMAZAWA, MASARU
	Examiner	**Art Unit**
	Jerome Grant II	2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-20_ is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☒ Claim(s) _19 and 20_ is/are allowed.

6) ☒ Claim(s) _1,3,5,7-12 and 14-18_ is/are rejected.

7) ☒ Claim(s) _2, 4, 6 and 13_ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

  If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a) ☒ All b) ☐ Some * c) ☐ None of:

    1. ☒ Certified copies of the priority documents have been received.

    2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

JEROME GRANT II
PRIMARY EXAMINER

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

Detailed Action

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United
> States before the invention thereof by the applicant for patent, or on an international application by another who
> has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention
> thereof by the applicant for patent.

Claims 1, 3, 5, 7- 12 and 14-18 are   rejected under 35 U.S.C. 102(e) as being anticipated

by Mizutani.

With respect to claim 1, Mizutani teaches a controller (including the combination of elements

CPU 16, network section 17, bus 21, ROM 18 and RAM 19) that receives printing data for each

page from a host (client at terminal 1 or 2); a data   transfer unit CPU and bus line 21 for

transferring the printing data to a printer (output engine 20) and controls the printer to print the

printing data while monitoring states thereof characterized in that in comprises: an analyzing unit

(3c) that   analyzes the print data and manages the number of pages transferred to the printer and

an error processing unit (3f) that passes error data and the number of pages of which printing

have been completed to the host when an error in which data is not assured occurred n the printer.

With respect to claims 3 and 14, Mizutani teaches a storage unit RAM 14 that stores preset

data of the printers to be connected to the controller 10. The analyzing circuit 3c and the error

processing circuit 3f execute based on the data prestored in the RAM 14. See figure 2A and 3A.

With respect to claims 5, 7 and 15, Mizutani teaches a CPU 10 in combination with RAM 14

for determining functions of the printer, see col. 6, lines 12-16. The analyzing circuit 3c and the

error processing circuit 3f execute functions in accordance with the recognition circuit, described

above.

With respect to claims 8, 9, 16 and 17, the preset data stored in RAM 14 from the network 4

which functions as the host. See col. 5, lines 40-42 and 50-55.

With respect to claims 10 and 18, Mizutani teaches that when the printer is incapable of

transmitting a completion of the paper feed, do to reasons described at col. 9, lines 7-11, for

example, the error processing unit 3f, along with the user analyzing the display screen 5 or 5', can

estimate the number of pages which have been completed and the ones which need to be

completed. See col. 9. The top portion of col. 10 addresses how the data is arranged , i.e., in

block form according to the type of error as it occurs and will appear to the user on the display

screen.

With respect to claim 11, Mizutani teaches a printing system comprising a host (user at the

other end of network 4) comprising a controller (CPU 10, 16 in combination with unit 3) that

receives printed data for each page transmitted from the host, the controller includes an analyzing

unit 3c and and error processing unit 3f. The host transmits data which has not been completed

after it has been determined where the error has occurred, as instructed by the error sending

device 3g and identifying the sender of the job that contained the error via circuit 3i. Again,

reprinting is executed when the host device is informed as to the location of where the error

occurred in the printing operation.

With respect to claim 12, Mizutani teaches a recording medium readable by a computer (ROM

13) for enabling a computer to proceed the step of receiving printing data for each pate from a

host, while a controller monitors the process: said program (bottom of col. 5) has a program for

allowing the analyzing unit 3c to function as claimed and the error processing unit 3f to functions

as claimed. See also col. 9 in its entirety which explains how data is sent from the host to the

printer after an error has been detected.

Claims Objected as Containing Allowable Subject Matter

2.   Claims 2, 4, 6 and 13 are objected to as being dependent upon a rejected base claim, but

would be allowable if rewritten in independent form including all of the limitations of the base

claim and any intervening claims.

Claims Allowed

Claims 19 and 20 are allowed.

Claims 19 and 20 are allowed for the reason the prior art does not teach or suggest in claimed

combination, the limitation which is included in claim 2.

3.   ## Examiner's Remarks

Applicant's remarks have been considered but are unpersuasive to allow the claims. Applicant

argues at the bottom of page 4 that: "The Office, however, fails to recognize that the printer

controllers of the present invention does not include a storage means for storing printed data."

Upon closer view, claim 1 does not recite that the print controls must not have storage means. In

other words, there is no condition that precludes the use of a reference which uses a print

controller with a storage means when the claimed limitations does not specifically exclude such a

limitation.

In the middle of page 5, applicant argues that the data transferring unit is not disclosed or

taught by Mizutani.

The rejection of claim 1 has been rewritten to address the new limitation where the control

means includes a transferring means for transferring data from the host to a print means.

4.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office

action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is

reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR

1.136(a) will be calculated from the mailing date of the advisory action. In no event, however,

will the statutory period for reply expire later than SIX MONTHS from the date of this final

action.

5.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Jerome Grant II whose telephone number is (703) 305-4391. The examiner

can normally be reached on Mon. from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

David Moore, can be reached on (703) 308-7452. The fax phone number for the organization

where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 305-3900.

J. Grant II   JEROME GRANT II
                        PRIMARY EXAMINER

Oct. 22, 2002